

PATENT
Attorney Docket No. 00F1464

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 16 2002
Technology Center 2100

In re application of:

Applicant: Kenneth A. Franken et al.

Application No.: 09/681,172

Filed: February 8, 2001

Group No.: 2173

For: INDIVIDUALIZED CONTENT GUIDE

April 5, 2002

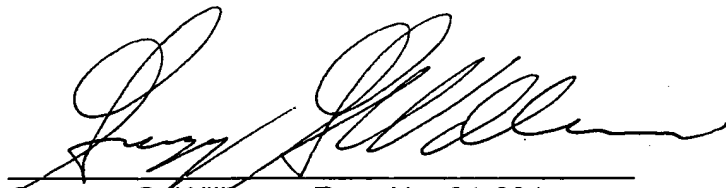
Assistant Commissioner for Patents
Washington, D.C. 20231

**PETITION TO MAKE SPECIAL PER SPECIAL EXAMINING PROCEDURE
FOR CERTAIN NEW APPLICATIONS—ACCELERATED EXAMINATION**
(37 C.F.R. § 1.102 and M.P.E.P. § 708.02 VIII)

Applicants hereby petition to make this application special because a pre-examination search was made by the European Patent Office. A copy of the Standard Search Report from the EPO is attached.

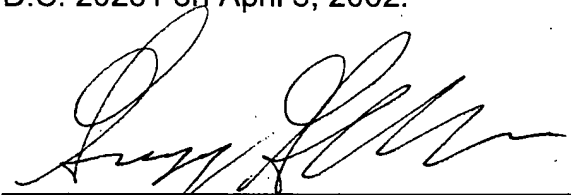
Accompanying this petition are copies of the references deemed most closely related to the subject matter encompassed by the claims and a detailed discussion of these references in support of the Petition to Make Special.

The fee required is to be paid by the attached check for \$130. A duplicate of this petition is attached.



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D.C. 20231 on April 5, 2002.



Gregory G. Williams



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DISCUSSION OF REFERENCES IN SUPPORT OF PETITION TO MAKE SPECIAL

The following discussion of the references is provided for the purpose of supporting a Petition to Make Special the above-referenced patent application. This discussion will point out with the particularity required by 37 CFR 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

The EPO stated that only four patents were particularly relevant.

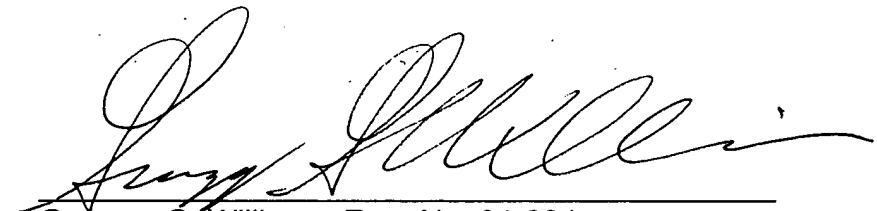
U.S. Patent 6,182,287 to Schneidewend (the Thompson Licensing patent);

U.S. Patent 6,002,394 to Schein (the Star Sight reference);

EPO 834798 to Stautner (the Compaq patent); and,

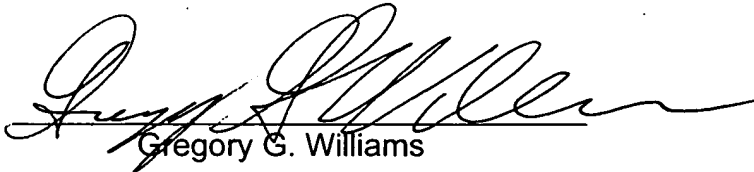
WO 99 65237 to Ismail (the Metabyte patent).

How these four references are alleged to relate to the above-captioned application will be discussed below. The EPO suggested that the above references relate to claims 1-8,10-15, 17-19. Claims 9, 16 and 20 were not cited as having a reference relating to them. In an attempt to avoid future rejections, all claims in the above-captioned application have been cancelled, via preliminary amendment, except for claims 9, 16 and 20. In view of the deletion of these claims, the Applicants believe that the application, as amended, is now clearly patentable because the claims against which references were cited have been deleted.



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